

R E M A R K S

Claims 1 through 21 are pending in the present application. Upon entry of this amendment, which is respectfully requested for the reasons set forth below, Claims 1 through 21 will remain pending, and claims 1-4, 7, 10, 13, 16, and 19-21 will be amended to recite the use of "photograph orientation information" to orient pictures based on the direction of travel. No new matter is believed added by these amendments (e.g., support for the concept of storing orientation information for photographs is described in FIG. 5 as filed, and the concept of presenting properly oriented photographs is described, e.g., at pages 16-17 in conjunction with the example directions).

The Examiner objects to the drawings and states that the drawing in FIG. 3 does not correspond to the disclosed specification. For the Examiner's approval, submitted herewith is a proposed red-lined amendment to FIG. 3 (showing communication between the GPS unit and the communication port). No new matter is believed added. Revised formal drawings reflecting the change are being transmitted to the Draftsperson.

Before addressing the Examiner's substantive grounds of rejection, it may prove helpful to briefly review features of embodiments of the invention. Embodiments of the present invention relate to a system and method for providing driving directions using visual cues, such as, for example, photographs of recognizable landmarks. Embodiments of the present invention allow users to easily navigate to a destination. As recited in the amended claims, visual cues are presented based on the orientation from which the user will be approaching the visual cue. For example, a certain red barn may be visible on the right side of the road when approached by a driver traveling south along Route 1. According to certain embodiments of the present invention, the system will take the driver's route of travel into consideration when presenting the visual cue to

the driver. In this simple example, if the user is driving south along Route 1, a photo of the red barn will be presented in its proper orientation; that is, it will be shown as appearing on the right side of the road. Embodiments of the present invention accomplish this by, for example, storing orientation information about stored data (e.g., each photograph in photography database 212 shown in FIG. 5 may be provided with information identifying a cardinal orientation of the photograph). The result is a system which readily and intuitively provides accurate directions to users.

A. Rejection over the Hayasida reference

The Examiner has rejected claims 1-21 under 35 U.S.C. 102 as anticipated by, or in the alternative, as obvious over, EP Patent No. 0 751 376 filed June 27, 1996 by Hayasida et al. (hereinafter "Hayasida"). Applicants respectfully traverse these grounds of rejection.

The Hayasida reference describes a vehicular navigation apparatus which is used to establish a route from a current position to a destination. Only data regarding certain roads ("guidance-possible roads") are stored in the navigation device of Hayasida; routes are established based on the use of these roads. If a driver strays from a route, e.g., leaves a "guidance-possible road" the device of Hayasida attempts to reconstruct a new route by getting the driver to recognized roads.

Hayasida fails to anticipate embodiments of the present invention as recited in claim 1 at least because Hayasida fails to teach or suggest the use of photograph orientation information or orienting representations of photographs based on a route of travel. While Hayasida does mention that "photograph data" may be stored in information storing device 3 (Col. 6, lines 20-28), there is simply no discussion or suggestion that photograph orientation information be provided or that route instructions be generated including oriented representations of photographs. As such, Applicants respectfully suggest that embodiments of the present invention as recited in amended claim 1 are not anticipated by, nor obvious over, the Hayasida reference.

Independent claims 1-4, 7, 10, 13, 16, and 19-21 have been amended in a similar manner and are believed patentable at least for similar reasons.

Dependent claims 5-6, 8-9, 11-12, 14-15, and 17-18 are believed patentable at least as depending from patentable base claims.

B. Rejection over the Nimura Reference

The Examiner has rejected claims 2-3 and 20-21 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 4,937,751 filed July 11, 1988 and issued to Nimura (hereinafter "Nimura"). Applicants respectfully traverse this ground of rejection.

The Nimura reference describes a navigation apparatus which is used to navigate an automobile over a "preset course". The automobile's position along the preset course is ascertained by measuring the distance traveled and by taking steering measurements from the vehicle throughout the course (Col. 2, lines 3-13). As the vehicle travels along the course, a recorded "voice track" is played giving the driver further directions (e.g., "turn left at the next intersection" etc.) Visual cues may be provided along with the voice track (col. 4, lines 4-16).

Nimura fails to teach or suggest embodiments of the present invention as recited in claim 2 at least because Nimura fails to teach or suggest the use of photograph orientation information or orienting representations of photographs based on a route of travel. Nimura simply teaches the use of a pre-established "script" for a fixed course. All of the driving cues for a script are presented in a set manner; there is no need to determine an orientation based on a route of travel. Because these features of the present invention are missing from Nimura, claim 2 as amended, is not anticipated by Nimura. Further, claim 2 is not rendered obvious by the Nimura reference, alone or in combination with any other reference as there is simply no suggestion in Nimura to provide these features of the present invention.

Independent claims 1-4, 7, 10, 13, 16, and 19-21 have been amended in a similar manner and are believed patentable at least for similar reasons.

Dependent claims 5-6, 8-9, 11-12, 14-15, and 17-18 are believed patentable at least as depending from patentable base claims.

C. Rejection over the Nimura and Ayanoglu References.

The Examiner has rejected claims 1 and 4-19 under 35 U.S.C. 103(a) as being unpatentable over Nimura in view of U.S. Patent No. 5,689,252 filed March 7, 1996 and issued to Ayanoglu et al. (hereinafter "Ayanoglu"). Applicants respectfully traverse this ground of rejection.

The Ayanoglu reference describes a navigation system for an automobile which displays a road map image around the vehicle in correlation with the current position of the vehicle.

The Ayanoglu reference fails to make-up for deficiencies of the Nimura reference. In particular, the Ayanoglu reference fails to teach or suggest the use of photograph orientation information or orienting representations of photographs based on a route of travel. Ayanoglu simply teaches the use of vehicle position data and navigational information to plot a map. There is no teaching or suggestion that photograph orientation information be provided or that photographs are oriented based on a route of travel.

Because Ayanoglu fails to make-up for the deficiencies of Nimura, the references, alone or in combination, fail to render the invention of claim 1 obvious.

Independent claims 1-4, 7, 10, 13, 16, and 19-21 have been amended in a similar manner and are believed patentable at least for similar reasons.

Dependent claims 5-6, 8-9, 11-12, 14-15, and 17-18 are believed patentable at least as depending from patentable base claims.

D. Conclusion

For at least the foregoing reasons it is submitted that all of the claims are now in condition for allowance and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Kurt M. Maschoff at telephone number (203) 905-6531 or via electronic mail at Kurt.Maschoff@WalkerDigital.com.

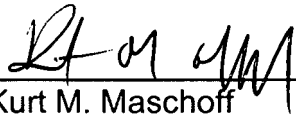
E. Petition for Extension of Time to Respond

Applicants hereby petition for a two-month extension of time with which to respond to the Office Action. Please charge \$ 190.00 for this petition to our Deposit Account No. 50-0271. Please charge any additional fees that may be required for this Response, or credit any overpayment to Deposit Account No. 50-0271.

If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely; and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,

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Date


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